

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Call to Order: By Chairman Jack Wells, on January 15, 2007 at 8:00 A.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Jack Wells, Chairman (R)
Sen. Bob Hawks, Vice Chairman (D)
Rep. Eve Franklin (D)
Rep. Bill E. Glaser (R)
Sen. Dave Lewis (R)
Sen. David E. Wanzenried (D)

Members Excused: None.

Members Absent: None.

Staff Present: Nancy Hall, Office of Budget and Program Planning
Amy Carlson, OBBP
Kris Wilkinson, Legislative Branch
Alan Peura, Legislative Branch
Kathy Baird, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Executive Action: Montana Board of Public Education
Montana Library Commission
Montana Arts Council
Montana Historical Society

Committee Business:

00:01:28 Rep. Franklin

00:02:53 Sen Lewis

EXECUTIVE ACTION WITH THE BOARD OF PUBLIC EDUCATION

00:03:55 Steve Meloy, Executive Secretary, Board of Public
Education (BPE)

EXHIBIT(jeh09a01)

Discussion:

00:08:19 Sen. Lewis

00:08:57 Mr. Meloy, BPE

00:10:35 Kris Wilkinson, Legislative Fiscal Division (LFD)

00:11:34 Nancy Hall, Office of Budget and Program Planning
(OBPP)

00:12:32 Chairman Wells suspended action with the Board of
Education.

EXECUTIVE ACTION ON THE LIBRARY COMMISSION

00:13:08 Ms. Wilkinson, LFD

EXHIBIT(jeh09a02)

00:18:40 **Motion:** Sen. Wanzenried moved **TO ADOPT** Item 3,
remaining Statewide Present Law Adjustments of \$162,358
in fiscal year '08 and \$162,273 in fiscal year '09.

Discussion on Item 3:

00:15:15 Rep. Wells

00:15:24 Nancy Hall, OBPP

00:16:05 Rep. Wells

00:16:33 Ms. Wilkinson, LFD

00:20:49 Darlene Staffeldt, State Librarian, Montana Library
Commission (MLC)

00:21:02 Rep. Wells

00:21:38 Ms. Staffeldt, MLC

00:22:49 Rep. Franklin

00:23:13 Ms. Staffeldt, MLC

00:23:38 Sen. Hawks

00:25:02 Ms. Staffeldt, MLC

00:29:27 Rep. Wells

00:30:25 Ms. Wilkinson, LFD

00:31:24 Rep. Wells

00:31:38 Ms. Staffeldt, MLC

00:34:52 Rep. Wells

00:35:26 Ms. Hall, OBPP
00:37:46 Rep. Wells
00:38:03 Ms. Hall, OBPP
00:39:38 Sen. Lewis
00:42:48 Ms. Staffeldt, MLC
00:43:25 Rep. Wells
00:43:41 Ms. Hall, OBPP
00:44:56 Ms. Staffeldt, MLC

00:45:20 **Vote:** Motion carried 5-1 by voice vote with Rep. Wells voting no.

Discussion on DP 1:

00:46:10 Ms. Wilkinson, LFD
00:46:56 Ms. Hall, OBPP
00:49:01 Chris Schmidt, Accountant, Montana Library Commission (MLC)
00:52:15 Ms. Wilkinson, LFD
00:53:49 Sen. Lewis
00:54:40 Ms. Wilkinson, LFD
00:55:33 Ms. Schmidt, MLC
00:56:49 Ms. Hall, OBPP
00:57:16 Rep. Wells
00:57:59 Amy Carlson, OBPP
01:01:44 Ms. Wilkinson, LFD
01:02:54 Rep. Glaser
01:03:19 Ms. Carlson, OBPP
01:04:26 Sen. Hawks
01:05:05 Sen. Wanzenried
01:05:31 Ms. Staffeldt, MLC
01:06:12 Sen. Wanzenried
01:07:18 Ms. Carlson, OBPP
01:07:28 Rep. Glaser

Executive Action on DP 1:

01:08:15 **Motion/Vote:** Sen. Hawks moved **TO ADOPT** DP 1, Present Law Adjustment, GIS Portal. Motion carried 4-2 by voice vote with Rep. Glaser and Rep. Wells voting no.

Executive Action on DP 2:

01:09:09 **Motion:** Sen. Wanzenried moved **TO ADOPT** DP 2, Natural Heritage Program.

Discussion on DP 2:

01:09:24 Rep. Wells

01:09:43 Ms. Staffeldt, MLC

01:11:16 **Vote:** Motion carried unanimously by voice vote.

Discussion on DP 4:

01:11:25 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** DP 4, Standard Cost Adjustments. Motion carried by unanimous voice vote.

Executive Action on DP 5:

01:11:56 **Motion:** Rep. Franklin moved **TO ADOPT** DP 5, LSTA grants.

Discussion on DP 5, LFD Issue:

01:13:45 Rep. Wells

01:13:55 Ms. Wilkinson, LFD

01:15:03 Rep. Wells

01:16:12 Rep. Franklin withdrew motion on DP 5, without objection

01:16:37 Rep. Glaser

01:16:55 Ms. Wilkinson, LFD

01:17:55 Rep. Wells

01:18:50 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** funds on page E-67 with the addition that it be a biennial appropriation. Motion carried unanimously by voice vote.

01:19:53 **Motion:** Sen. Hawks moved **TO RECONSIDER** motion on Item 1 to include the language for biennial appropriation for the \$205,662 of the total of \$399,976 as the biennial appropriation.

Continued Discussion on DP 5, LFD Issue:

01:20:32 Ms. Wilkinson, LFD

01:20:53 **Motion/Vote:** Sen. Hawks moved **TO RESTATE** motion to reconsider and amend original motion. Motion carried unanimously by voice vote.

Executive Action on DP 6:

01:21:47 **Motion:** Rep. Franklin moved **TO ADOPT** DP 6.

Discussion on DP 6, LFD Issue:

01:21:58 Ms. Wilkinson, LFD
01:23:31 Sen. Lewis
01:23:58 Nancy Hall, OBPPS
01:24:38 Amy Carlson, OBPP
01:24:51 Sen. Wanzenried
01:25:42 Ms. Carlson, OBPP
01:27:33 Sen. Hawks
01:28:07 Rep. Franklin

01:28:42 **Motion:** Rep. Franklin moved that DP 6 **BE AMENDED** to increase library federation support to \$98,199 in fiscal year '08 and \$98,199 in fiscal year '09.

01:30:18 Ms. Wilkinson, LFD

01:30:25 Break

01:47:18 Reconvene

Continued Discussion on DP 6, LFD Issue:

01:47:31 Rep. Wells
01:48:15 Ms. Wilkinson, LFD

01:50:34 **Substitute Motion/Vote:** Rep. Franklin moved that DP 6 **BE AMENDED** to appropriate \$113,495 in 2008 and \$113,495 in 2009 or 27.26 percent of the coal tax shared revenue in each year of the biennium whichever is greater depending on actual revenue stream. Substitute motion carried unanimously by voice vote.

EXECUTIVE ACTION ON THE MONTANA ARTS COUNCIL

Discussion on Art Council's Personal Service Questions:

01:55:08 Rep. Wells
01:56:17 Carleen Layne, Accountant, Montana Arts Council (MAC)
02:01:06 Ms. Wilkinson, LFD
02:02:50 Sen. Wanzenried
02:03:06 Rep. Wells
02:03:26 Ms. Wilkinson, LFD
02:05:43 Sen. Wanzenried
02:05:53 Ms. Hall, OBPP

02:06:01 **Motion:** Sen. Wanzenried moved **TO ADOPT** reallocation as stated by Legislative Fiscal Division Staff.

Discussion on Reallocation:

02:06:30 Sen. Hawks
02:06:52 Ms. Carlson, OBPP
02:07:19 Ms. Wilkinson, LFD

02:07:46 **Vote:** Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

Executive Action on Item 3:

02:08:13 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** Item 3, remaining Statewide Present Law Adjustments. Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

Executive Action on DP 5:

02:10:03 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** DP 5, Item 4, Rent Increase and Relocation Expenses. Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

Executive Action on DP 51401:

02:11:24 **Motion:** Sen. Wanzenried moved **TO ADOPT** DP 51401, Present Law Cost Adjustments.

Discussion on DP 51401:

02:11:38 Rep. Glaser
02:13:54 Ms. Wilkinson, LFD
02:14:01 Rep. Glaser

02:14:45 **Vote:** Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

Executive Action on DP 1:

02:15:19 **Motion:** Sen. Wanzenried moved **TO ADOPT** DP 1, LAN Administration, Hosting and Server Needs.

Discussion on DP 1:

02:15:30 Ms. Wilkinson, LFD
02:16:12 Rep. Wells
02:16:46 Sen Hawks
02:17:24 Sen. Wanzenried
02:17:31 Ms. Carlson, OBPP

02:18:21 **Vote:** Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

Executive Action on DP 2:

02:18:57 **Motion/Vote:** Sen. Hawks moved **TO ADOPT** DP 2, Arts Education in K-12 Schools. Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

Executive Action on DP 8:

02:20:31 **Motion:** Sen. Wanzenried moved **TO ADOPT** DP 8, Database Re-Write.

Discussion on DP 8:

02:20:41 Sen. Lewis

02:21:31 **Vote:** Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

Discussion on an Art Council Proprietary Fund:

02:21:57 Sen. Wanzenried
02:22:56 Sen. Lewis
02:23:07 Ms. Carlson, OBPP
02:23:31 Sen. Wanzenried
02:24:15 Ms. Carlson, OBPP
02:25:17 Sen. Lewis
02:25:25 Rep. Wells
02:26:04 Ms. Carlson, OBPP
02:26:29 Sen. Wanzenried
02:26:47 Rep. Wells
02:27:43 Ms. Wilkinson, LFD
02:28:20 Sen. Wanzenried
02:28:58 Ms. Hall, OBPP

Discussion on E-64 Language Appropriation:

02:29:07 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** language amendment that all Federal Funds are biennial appropriations. Motion carried by voice vote with Rep. Franklin's later voice vote passing the motion unanimously.

EXECUTIVE ACTION ON THE MONTANA HISTORICAL SOCIETY

02:31:14 Kris Wilkinson, LFD
02:34:27 Sen. Wanzenried
02:35:06 Sen. Lewis
02:35:40 Ms. Wilkinson, LFD
02:36:42 Sen. Lewis
02:37:14 Ms. Wilkinson, LFD
02:38:00 Sen. Hawks

Executive Action on Program (1) Administration Program:

02:39:50 **Motion:** Sen. Lewis moved **TO RECONSIDER** Program 1, to adopt total Federal Appropriation amount for agency.

Discussion on Program 1, LFD Issue:

02:41:49 Ms. Hall, OBPP
02:42:31 Ms. Wilkinson, LFD
02:43:11 Ms. Carlson, OBPP
02:43:48 Ms. Wilkinson, LFD
02:44:21 Rep. Wells
02:44:49 Sen. Lewis withdrew motion, without objection

Discussion on Item 3, Remaining Statewide Present Law Adjustment:

02:45:27 Ms. Wilkinson, LFD
02:45:59 Denise King, Montana Historical Society (MHS)
02:50:09 Sen. Lewis
02:50:28 Sen. Wanzenried
02:50:42 Ms. King, MHS
02:51:12 Sen. Lewis
02:51:22 Ms. King, MHS
02:52:21 Sen. Hawks
02:54:12 Ms. King, MHS
02:54:43 Sen. Wanzenried
02:55:16 Molly Holtson, Director, Publications Program (MHS)
02:55:57 Sen. Wanzenried
02:56:33 Ms. King, MHS
02:58:25 Rep. Wells
02:59:13 Ms. King, MHS

02:59:28 Ms. Wilkinson, LFD
03:00:34 Rep. Wells
03:01:19 Ms. Wilkinson, LFD

Executive Action on Item 3:

03:01:39 **Motion/Vote:** Sen. Lewis moved **TO ADOPT** Item 3.
Remaining Statewide Present Law Adjustment of \$70,940
in fiscal year '08 and \$67,634 in fiscal year '09.
Motion carried with Rep. Franklin's later voice vote
passing the motion unanimously.

Executive Action on DP 2, Computer Replacement:

03:02:27 **Motion:** Sen. Hawks moved **TO ADOPT** DP 2, Computer
Replacement.

Discussion on DP 2, LFD Issue:

03:02:41 Ms. Wilkinson
03:04:00 Rep. Wells
03:04:13 Ms. King, MHS

03:04:37 **Motion/Vote:** Sen. Hawks moved **TO AMEND** the motion on
DP 2 to include restrictive language. Rep. Franklin's
later voice vote carried the motion 4-2 with Rep. Wells
and Rep. Glaser voting no.

Executive Action on DP 21, Restoring Base Expenditures:

03:07:08 **Motion:** Sen. Hawks moved **TO ADOPT** DP 21, restoring
base expenditures.

Discussion on DP 21:

03:07:34 Rep. Wells
03:07:54 Ms. King, MHS
03:08:50 Rep. Wells
03:09:03 Ms. Hall, OBPP
03:09:47 Rep. Franklin
03:10:33 Sen. Lewis
03:11:12 Rep. Wells
03:11:39 Ms. Carlson, OBPP
03:13:23 Sen. Wanzienried
03:14:08 Sen. Hawks withdrew motion on DP 21, without objection
03:15:21 Rep. Glaser
03:16:27 Ms. Wilkinson, LFD
03:17:57 Rep. Wells suspended action on DP 21

Executive Action On Item 3, Program (2) Research Center:

03:18:06 Ms. Wilkinson, LFD

03:20:16 **Motion/Vote:** Rep. Glaser moved **TO ADOPT** Item 3, Remaining Statewide Present Law Adjustments in Program (2) Research Center. Sen. Hawks and Sen. Wanzenried voted no. Rep. Franklin's later voice vote caused the motion to fail at 3-3. Rep. Glaser, Sen. Lewis and Rep. Wells voted aye.

Discussion on Program (3) Museum Program:

03:22:42 Ms. Wilkinson, LFD
03:27:04 Ms. Hall, OBPP
03:27:14 Rep. Hawks
03:27:55 Ms. Wilkinson, LFD
03:28:05 Ms. King, MHS
03:28:25 Sen. Hawks
03:29:15 Sen. Wanzenried
03:29:55 Ms. Wilkinson, LFD
03:30:52 Rep. Wells
03:32:08 Ms. Wilkinson, LFD
03:33:21 Ms. Hall, OBPP
03:34:56 Rep. Wells
03:35:24 Ms. Wilkinson, LFD
03:35:58 Ms. Hall, OBPP
03:37:20 Sen. Wanzenried
03:37:57 Ms. Hall, OBPP
03:38:24 Ms. Wilkinson, LFD
03:39:04 Rep. Glaser

Executive Action on Item 3:

03:40:00 **Motion/Vote:** Sen. Wanzenried moved **TO ADOPT** Item 3, Remaining Statewide Present Law Adjustments. Motion carried by voice vote. Rep. Franklin's later voice vote passed the motion unanimously.

Discussion:

03:41:55 Ms. Wilkinson, LFD
03:42:02 Rep. Wells

ADJOURNMENT

03:44:17 Adjournment

REP. JACK WELLS, Chairman

KATHY BAIRD, Secretary

JW/kb